Supreme Court, U.S.
FILED
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No. 05-917

IN THE

SUPREME COURT OF THE UNITED STATES

JAMES E. ALLISON & FLORA ALLISON-PETITIONERS

vs.

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY-RESPONDENT

ON PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF WASHINGTON

PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

1. Due Process in Jury Selection: Is it a violation of due process for a court not to strike for cause a juror, who is currently insured by, has an ownership interest in, and receives monetary benefits from the Defendant mutual auto insurance company?

2. Due Process and Equal Protection in Awarding Attorneys Fees: Is it a violation of due process and equal protection when a separately insured spouse, bringing her own claim as a separately named party, is barred from attorneys fees when her separately insured husband is denied fees due to only partially recovered insurance claims and the jury and court did not make any specific findings as to her?

LIST OF PARTIES

[x]All parties appear in the caption of the case on the cover page.

[ ]All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

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IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[ ]For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix to the petition and is

[]reported at;or,[ ] has been designated for publication but is not yet reported; or, []is unpublished.

The opinion of the United States district court appears at Appendix to the petition and is

[] reported at ;or, [ ] has been designated for publication but is not yet reported; or, [ ]is unpublished.

[x]For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix E to the petition and is

[ ] reported at ;
or,

[ ] has been designated for publication but is not yet reported; or,

[x]is unpublished.

The opinion of the court appears at Appendix to the petition and is

[] reported at ; or,

[ ] has been designated for publication but is not yet reported; or,

[ ]is unpublished.

JURISDICTION

[ ]For cases from federal courts:

The date on which the United States Court of Appeals decided my case was .

[ ]No petition for rehearing was timely filed in my case.

[ ]A timely petition for rehearing was denied by the United States Court of Appeals on the following date: , and a copy of the order denying rehearing appears at Appendix .

[ ]An extension of time to file the petition for a writ of certiorari was granted to and including (date) on (date) in Application No.

The jurisdiction of this Court is invoked under 28 U. S. C. §1254(1).

[x]For cases from state courts:

The date on which the highest state court decided my case was August 4, 2005. A copy of that decision appears at Appendix E .

[ ]A timely petition for rehearing was thereafter denied on the following date: , and a copy of the order denying rehearing appears at Appendix . [ ]An extension of time to file the petition for a writ of certiorari was granted to and including (date) on (date) in Application No.

The jurisdiction of this Court is invoked under 28 U. S. C. §1257(a).

Supreme Court jurisdiction to review a highest state court decision here is invoked by this being a case in law and equity consisting of the right of the parties arising under the Constitution of the United States as its correct decision depends on the construction of the Constitution. Cohen v. Virginia, 6 Wheat 264 (1821). Here, constitutional rights of petitioner arise in a genuine controversy with color of merit which depend upon the effect or construction of the United States Constitution amendments v, vi, vii, and xiv. All issues raised here are reviewable because the rule has long been established that where a federal question is raised and a case is presented arising under the Constitution of the United